

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:  NATIONAL BROKERS OF AMERICA, INC.,  Debtor.	Chapter 7  Bankruptcy No. 19-15488
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**MOTION FOR AN ORDER PURSUANT TO  
BANKRUPTCY RULE 2004**

***SANTANDER BANK ACCOUNT NO. 3570628590***

Robert H. Holber, the Chapter 7 Trustee, (the “Trustee”) by and through his undersigned counsel, hereby moves, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure and Local Rule of Bankruptcy Procedure 2004-1 for the entry of an Order directing the production of documents from Santander Bank. In support of this Motion, the Trustee avers as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of this Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

**BACKGROUND AND FACTS**

2. National Brokers of America, Inc. (the “Debtor”) filed a voluntary chapter 7 bankruptcy petition on September 3, 2019 (the “Petition Date”).

3. Prior to the Petition Date, Santander Bank (“Santander”) was a bank for the Debtor with account number 3570628590 (the “Bank Account”).

4. On April 15, 2020, undersigned counsel sent a demand letter to Santander requesting bank statements and cancelled check images from October 2019 of this account to the current date or the date that the account was closed.

5. On or about May 18, 2020, the Trustee filed an initial 2004 Motion (the “Initial 2004 Motion”) seeking an Order and a formal Subpoena compelling Santander to provide bank statements and cancelled check images related to the Bank Account from October 2019 of this account to the current date or the date that the account was closed.

6. On June 16, 2020, the Court entered an Order approving the Initial 2004 Motion.

7. Santander just recently complied with the Initial 2004 Motion, but the Trustee and his professional discovered that more information is needed to properly administer this case. Specifically, the Trustee also needs the bank statements for August 2019 and September 2019 for the Bank Account.

#### **REQUEST FOR RELIEF**

8. The Trustee has good cause to seek the requested access pursuant to Rule 2004, which provides in relevant part, that the examination of an entity “may relate only to the acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtor’s estate, or to the debtor’s right to a discharge.” Fed. R. Bankr. P. 2004(b).

9. The access that the Trustee seeks is related to assets and liabilities of the Debtor. This information is necessary for the Trustee to discharge his duties and complete his administration of the estate.

10. In compliance with Rule Local Rule of Bankruptcy Procedure 2004-1, the Trustee is serving a Subpoena on Santander consistent with this Motion seeking the information to be provided within thirty (30) days of service. That said, the Trustee is mindful of the administrative difficulties created by the worldwide pandemic and has no interest in forcing Santander to time deadlines that are unreasonable under the circumstances. Thus, the Trustee will favorably consider providing Santander an extension if such extension requested in writing.

WHEREFORE, the Trustee respectfully requests that this Court: (i) enter an Order in the form attached hereto directing Santander to provide bank statements and cancelled checks for the Bank Account for August 2019 and September 2019 and (ii) grant any such other relief as the Court may find just and equitable.

Dated: August 7, 2020

**FLASTER/GREENBERG P.C.**

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